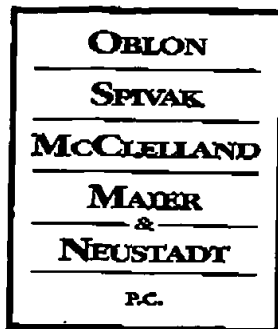


DEC. 6. 2004 2:36PM

OBLON, SPIVAK

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Victor R. Ludena

Total number of pages including this page: 4

OSMM&N File No. 149569US25DIV

Dept.: KLH

By: NFO/klh

Serial No. 08/855,933

In the matter of the Application of: Matthew T. SCHOLZ, et al.

For: BIOADHESIVE COMPOSITION AND PATCH

Due Date: n/a

■ PETITION FOR ATTORNEY WITHDRAWAL UNDER 37 CFR 1.36

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Docket No. 149569US25DIV

DEC 06 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Matthew T. SCHOLZ, et al

: GROUP: 1615

SERIAL NUMBER: 08/855,933

: EXAMINER: Kulkosy, P.

FILED: May 14, 1997

:

FOR: BIOADHESIVE COMPOSITION AND PATCH

PETITION FOR ATTORNEY WITHDRAWAL UNDER 37 CFR 1.36

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Attorneys of Record in the present Application hereby respectfully petition to withdraw from any further representation of the Applicant of the subject application under the provisions of, and in compliance with the criteria set forth, in 37 CFR 10.40(c)(6) based on the following information.

On October 8, 1998, a request for an interference with U.S. Patent No. 5,516,523 was filed. In response to that request, the Examiner issued a notification of suspension of procedure pending consideration of a declaration of interference. The suspension notice was issued January 11, 1999. The patentee was notified by the Patent Office of the attempt to provoke the interference, and on August 9, 1999, the Examiner specified that Claim 1 of the subject patent will be the subject of the count.

Nothing further was heard from the Patent Office and on June 23, 2000, Mr. Ted Ringsred, in-house attorney for 3M, the Assignee of total interest of this application, acting on behalf of 3M, filed a status request. On May 29, 2001, the Examiner specified that proceedings in the application was suspended due to a potential interference. That suspension continues to this day. A second status request was again filed by Ted Ringsred, in-house counsel for 3M acting on behalf of 3M Innovative Properties Company, Assignee of total interest, on May 21, 2004, again requesting status.

In the interim, the undersigned finds that continued representation of 3M, which is one of the largest chemical companies in the world, is creating potential conflicts with other clients of the firm, making it inconsistent for the undersigned to continue representing 3M Innovative Products in this or any other capacity.

As can be seen from the activities of 3M in filing their own status inquiries, 3M is an active and direct participant in this application and they have a large number of in-house competent attorneys capable of working on this project. Accordingly, our withdrawal will not create unacceptable hardships for 3M.

The applicant is being advised of this action concurrently herewith and provided with a copy of the petition.

It is requested that all further communications be forwarded to the Assignee at the following address:

Ted K. Ringsred, Esq.
3M Innovative Properties Company
Office of Intellectual Property Counsel
P.O. Box 33427
St. Paul, MN 55133-3427

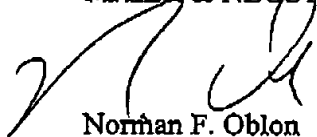
As the principal attorney for the above-identified application I, Norman F. Oblon, have the authority to execute and have executed this petition on behalf of all of the attorneys of record, namely, all the attorneys/agents associated with the following customer number:

Customer Number
22850

Granting of this petition is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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